

NATIONAL CANNERS ASSOCIATION

Information Letter

FOR N. C. A. MEMBERS

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CONTENTS

Page	Page		
United States Arbitration Act	25	Chain Store Grocers Association conven-	
Preliminary estimates on canning crops	26	tion	30
Process for string beans	27	Publications from New Jersey Experi-	
Apparent attempt to hold up cannerys	27	ment Station	30
Canned Foods Week Committee appoint-		Navy asks for bids on string beans	30
ments	27	Dried fruit export association formed	30
Corn root rot	28	Pea pack in Bordeaux district declines	31
Seed-borne disease control	28	"The vital vegetable vitamin caught in	
Tomato fertiliser research	28	a can"	31
Increased acreage in tomatoes in Canada	29	American canned fruit trade in Egypt	31
Income tax inspection regulations	29	Norwegian cannery strike continues	31
Car loadings reach highest level for year	29	Hongkong canneries	32
Canned goods rates from Wisconsin and		1924 Commerce Year Book just issued	32
Minnesota	29		

United States Arbitration Act

The following information respecting the United States Arbitration Act of February 12, 1925, is furnished by Mr. Spencer Gordon of Covington, Burling and Rublee, legal counsel of the National Canners Association:

"The United States Arbitration Act of February 12, 1925, makes an important advance in the powers of the Federal Courts in the settlement of commercial disputes. Prior to the enactment of this statute there had been considerable confusion and conflict in the authorities as to the effect of arbitration clauses when they became involved in actions in Federal Courts. This statute expressly makes written arbitration agreements valid and enforceable and provides competent machinery for obtaining judgment upon an award of arbitrators or for modifying or vacating an award if proper grounds exist.

"As the United States Courts do not have jurisdiction over purely intrastate commerce, the Act is limited to maritime transactions and commerce among the states and with foreign nations or in the territories and the District of Columbia. The Act provides that if any suit is brought in the United States Courts on an issue referable to arbitration the court may on application of one of the parties stay the trial until such arbitration has been had. Or if suit has not been brought, but one of the parties refuses to go ahead with the arbitration, the other party may obtain a summary order from any United States court which has jurisdiction over the controversy, directing the arbitration to proceed. *The amount involved must be more than three thousand dollars.*

"The arbitration is to be in accordance with the agreement of the parties, but, if no method is named for selecting the arbitrators, the court is to designate them. The arbitrators are given power to summon witnesses and are to have the assistance of the United States Courts in compelling their attendance.

"After the award is given by the arbitrators, upon application to the district court for the district in which the award was made and notice to the adverse party, the court may affirm the award and it will have the effect of a judgment of the court. Provision is made for the vacation of an award or its modification, but it is important to note that the court will not go into the merits of the dispute, but will vacate or modify the award only upon proof of errors concerning the arbitration itself, as for example, partiality, fraud or corruption, or where the arbitrators exceeded their powers or made an award upon a matter not submitted to them, etc.

"As most transactions involving the sale of canned foods are in interstate commerce, this Act will have an important effect in strengthening and providing for the ready enforcement of awards made in disputes arising out of the sale of canned foods."

Preliminary Estimates on Canning Crops

Preliminary estimates of the acreage of cucumbers for pickles, and of tomatoes, sweet corn and snap beans for manufacture have been issued by the Bureau of Crop Estimates of the United States Department of Agriculture under date of July 22. The following table gives the preliminary estimates for each of these crops and comparative figures of the acreage reported for the preceding four years:

	Cucumbers for pickles (Acres)	Tomatoes (Acres)	Corn (Acres)	Snap Beans (Acres)
Preliminary estimate, 1925.....	115,200	341,920	393,820	31,950
Acreage reported:				
1924	87,220	304,030	299,410	22,890
1923	66,010	290,540	230,850	16,720
1922	52,830	228,920	197,600	12,460
1921	63,220	87,730	136,280	8,850

About August 15 the Bureau will issue a revised estimate of the acreage and a forecast of the production of tomatoes, sweet corn and snap beans, based on the condition of the crops as reported on August 1. Revised acreage figures and a forecast of the production of cucumbers will be issued about September 15, based on conditions as reported September 1.

Process for String Beans

The Research Laboratory has been advised that some trouble has been experienced with flat sour in beans, particularly cut beans, in No. 10 cans, which had been given a process of 30 minutes at 240° as recommended in Circular 7-L, "Processes For String Beans and Beets." The Laboratory therefore advises that beans, both whole and cut, in No. 10 cans be given a process of 40 minutes at 240°, at least until the matter has been checked up.

The Laboratory is planning some further work on this question which will settle the point as to whether 30 minutes at 240° is sufficient to prevent flat sour in this product.

Apparent Attempt to Hold Up Canners

A striking example of the value of investigation of consumer complaints by some central agency, is afforded by an apparent flagrant attempt to hold up canners being carried on by a woman lawyer and her husband, who claims to be a regular physician.

In three recent instances this lawyer has written to canners, advising of a complaint by one of her clients and threatening suit. In the two cases already investigated she gave no information about the nature of the complaint, and when the Association attempted to make an investigation both she and her husband failed to keep appointments made and placed every obstacle in the way of getting at the facts in each case. It thus appears that these people are making a practice of framing up cases against canners, and we have advised that such claims be fought to the limit.

The fact that canners are referring such claims to the Association for investigation gives the Association a splendid opportunity to judge of the merits of many of the claims, and the more that practice is followed by our members, the better the service that the Association will be in position to render.

Canned Foods Week Committee Appointments

The Association has been advised that Francis E. Kamper of Atlanta, Georgia, and Sol Westerfeld of Chicago, Illinois, have been appointed to represent the National Retail Grocers Association on the General Canned Foods Week Committee.

The New York Retail Grocers Association has appointed N. Popper, 1269 Second Avenue, and R. C. Croplin, 3600 Broadway, New York City, to serve on its local committee.

Corn Root Rot

The Bureau of Raw Products Research has secured some interesting and practical information for corn canners, based on a recent conference with Dr. C. R. Orton of State College, Pa.

In the average run of seed corn in Pennsylvania, about one-third of the crop losses from root-rot diseases are due to seed-borne organisms and about two-thirds to soil-borne organisms which may infect the seedling plant, even if the seed from which it grew was free from disease. This conclusion is based on repeated observations that treatment of seed reduced the amount of disease in the crop almost one-third and that seed treatment will destroy the organisms on the seed.

If these Pennsylvania results are a fair index of conditions in other localities, it reinforces the soundness of the position taken by Hoffer and his co-workers, e. g., that permanent control or avoidance of root-rot losses will be attained only through breeding of resistant seed strains and that direct control measures such as seed treatment, etc., are at best only palliatives as long as the seed corn strains are susceptible to the root-rot diseases.

Seed-borne Disease Control

Dr. C. R. Orton is on leave from Pennsylvania State College till July 1, 1926, to take up special work on the value of "Uspulun," (an organic mercury compound) in controlling plant diseases, under the supervision of the Boyce Thompson Institute for Plant Research. It was suggested to Dr. Orton that his studies include sweet corn seed and beans of varieties important to the canning industry.

Dr. Orton stated that his work at State College had already shown that "Uspulun" is not good for treatment of tomato seed. Bayer Compound and "Semesan" were found not to be injurious.

Tomato Fertilizer Research

Dr. H. R. Kraybill is carrying on at Boyce Thompson Institute a further study of physiology, nutrition, and metabolism of the tomato plant along lines opened up by his recent studies in New Hampshire. Perhaps the outstanding result of Kraybill's studies to date is the tremendous emphasis placed on the value of available phosphates in increasing crop yields. If there is sufficient nitrogen and potash available apparently the crop will be increased indefinitely with larger applications of acid phosphate. The effects so far have been proportionate up to 1,500 pounds of acid phosphate per acre. Correspondingly

heavy applications of potash depress yields rather than increase them. One of the chief effects of the heavy phosphorus application is to cause earlier fruiting. Apparently the plant responds chiefly to the mono and di-basic forms of phosphorus. Acid phosphate quickly reverts to a relatively insoluble tri-basic form, excess amounts of which do not bring about correspondingly increased yields. The same would hold true of raw rock phosphate. Even with applications of 1,000 to 1,500 pounds per acre of acid phosphate, the chief effect is on the crop the same year with little residual effect the year following.

Plans for the tomato quality research to be undertaken at Purdue were gone over with Dr. Kraybill as well as the general outline of the tomato fertilizer work under the Purdue-Armour tomato fertilizer fellowship.

Increased Acreage in Tomatoes in Canada

The tomato acreage for the canning factories in Eastern Ontario has been greatly increased over last year, according to the Canadian Natural Resources Intelligence Service. It is reported that in Kelowna district of British Columbia more than 1,000 acres have been planted in tomatoes for the canneries.

Income Tax Inspection Regulations

The Bureau of Internal Revenue has announced that beginning September 1, 1925, income tax lists will be open for public inspection at all times during each working day for 30 days. Thereafter, they will be open at least three hours, three days a week under regulations to be made by each Collector of Internal Revenue.

Car Loadings Reach Highest Level for Year

Loadings of revenue freight for the week ended July 18 for the first time this year passed the million mark, totaling 1,010,970 cars, according to the American Railway Association. The loadings from the first of the year total 27,155,000 cars, or a gain of 1,372,000 over the corresponding period last year. The total for the week of July 18 showed an increase of 28,161 cars compared with the previous week and a gain of 80,257 cars over the same week last year.

Canned Goods Rates from Wisconsin and Minnesota

By an order issued under date of July 21 the Interstate Commerce Commission has further suspended until August 29 the new rates and charges proposed by carriers on shipments

of canned goods from Minnesota, Wisconsin, etc., to eastern seaboard and Canadian points. Pending a hearing on the proposed new rates, the Commission in March suspended their operation until July 30, and the further suspension is due to the fact that the necessary hearings could not be concluded by that date.

Chain Store Grocers Association Convention

The Fifth Annual Convention of the National Chain Store Grocers Association will be held at the Edgewater Beach Hotel, Chicago, on September 9, 10 and 11. Secretary Alfred H. Beckman of the Association has requested us to invite all canners to attend the meetings. President Trego of the National Canners Association will make an address at one of the sessions.

Publications from New Jersey Experiment Station

Among recent publications received from the New Jersey Experiment Station is Circular 174, "Preliminary Report on the Oriental Peach Moth in New Jersey." The ravages of this insect in 1923 caused considerable alarm. The circular describes the various experiments in control. Other publications received from the Station are: Circular 173, "Spray Calendar for Apples and Quinces," and Circular 174, "Spray Calendar for Peaches." Copies of these circulars, all of which are illustrated, may be obtained by writing to the Station at Brunswick, New Jersey.

Navy Asks for Bids on String Beans

The United States Navy is requesting bids to be opened at 10.00 a. m., August 18, on canned string beans, under Schedule 4114. Copies of the schedule and form for submitting bids may be secured by applying to the Bureau of Supplies and Accounts, Navy Department, Washington, D. C.

Dried Fruit Export Association Formed

The California Dried Fruit Export Association, No. 1 Drumm St., San Francisco, Cal., has filed papers under the Export Trade Act (Webb-Pomerene law) with the Federal Trade Commission for the purpose of exporting dried, evaporated or dehydrated fruits except raisins (including apricot kernels) produced in the state of California. The officers are: A. M. Lester, president and director; J. O. Hayes and Walter Rothschild, vice-presidents and directors; Harry Hall, treasurer and director; Albert Asher, R. C. Fleming, Bert Katz, E. N. Richmond and A. J. Secher, directors, and Dwight K. Grady, secretary.

Pea Pack in Bordeaux District Declines

The pack of "petit pois" in the Department of Gironde, France, will be about 70,000 cases, while the pack in Lot-et-Garonne will be considerably below the average, according to reports from the American consul at Bordeaux. French pea packers are disappointed in the quality of the pack. Less than 10 per cent of "extra fine" and "very fine" were obtained in these two districts, and similar conditions are reported in other pea-canning centers. It is stated there is no carry-over of small sizes, but some canners have considerable stocks of the larger sizes from the previous year.

"The Vital Vegetable Vitamin Caught in a Can"

Under this catchy title the August issue of "Modern Priscilla" furnishes a pictorial story on canning which serves as an excellent introduction to the plans for Canned Foods Week. This year "Rich in Vitamins" will be carried as a slogan on hundreds of thousands of Canned Foods Week posters. The "Modern Priscilla" article states:

"Scientific investigation is now showing that the vitamin content of vegetables taken fresh from the garden and canned properly is higher than that of the same vegetables which have been kept in storage. To catch and preserve the succulence of tender vegetables is, therefore, the duty of every good and provident housewife."

There are perhaps millions of housewives who can not put up vegetables—especially those "fresh from the garden"—and Canned Foods Week will provide such housewives an opportunity to "catch" their supplies.

American Canned Fruit Trade in Egypt

Italian competition, principally on a price basis, is reducing the sale of American canned fruits in Egypt, according to the American consul in Alexandria. However, certain American firms that have built up a business of long standing are holding their own among buyers who purchase only high class goods. The yearly sales of assorted canned fruits in Egypt are about 6,000 cases.

Norwegian Canning Strike Continues

The labor dispute in the Norwegian cannning industry has not yet been settled, efforts of the Government mediator to this end being without result. In the Bergen district further con-

ferences have been arranged, but in Stavanger negotiations have been dropped for the present.

Hongkong Canneries

The two canneries located in Hongkong, both under Chinese management, have a total annual output estimated at about \$400,000 Hongkong currency. The principal articles canned are pineapple, pear, fish, ginger, onions, mixed pickles, laichee, lung-nan, green apricots, sugar cane and bamboo shoots. Cans for packing the fruit are manufactured locally. Fifty per cent of the output is consigned to Chinese in the United States and Canada, and the balance to the Straits Settlements and other outports of China.

1924 Commerce Year Book Just Issued

The U. S. Department of Commerce has just released its Commerce Year Book for 1924, copies of which may be secured through branch offices of the Department or the Superintendent of Documents, Government Printing Office, Washington, D. C., at \$1.00 per copy.

The present issue is a book of 718 pages and some of the interesting features are: A summary of the general trend of business through the year, with a description of the basic factors that influence trade; analysis of the results of the last census of manufactures, which has just become available; survey of agricultural and industrial production; record of wholesale and retail prices; survey and analysis of the foreign trade of the United States; essential data on transportation and communication.